

**BOARD BILL # 327**

**INTRODUCED BY ALDERWOMAN DAVIS**

**AN ORDINANCE RECOMMENDED BY THE TAX INCREMENT FINANCING COMMISSION OF THE CITY OF ST. LOUIS TO AMEND THE AUTOMOBILE ROW REDEVELOPMENT PLAN, TAX INCREMENT BLIGHTING ANALYSIS, AND REDEVELOPMENT PROJECT AREAS BY REMOVING FROM THE REDEVELOPMENT PLAN ALL OF THE PROPERTIES FROM REDEVELOPMENT PROJECT AREA 2 AND 3029-3033 LOCUST ST. FROM REDEVELOPMENT PROJECT AREA 1; MAKING FINDINGS WITH RESPECT THERETO; AUTHORIZING CERTAIN ACTIONS BY CITY OFFICIALS; AND CONTAINING A SEVERABILITY CLAUSE.**

WHEREAS, the City of St. Louis, Missouri (the “City”) is a body corporate and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of its charter, the Constitution and laws of the State of Missouri; and

WHEREAS, on December 20, 1991, pursuant to Ordinance No. 62477, the Board of Aldermen of the City created the Tax Increment Financing Commission of the City of St. Louis, Missouri (the “TIF Commission”); and

WHEREAS, the TIF Commission is duly constituted according to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri (2000), as amended (the “TIF Act”), and is authorized to hold public hearings with respect to proposed redevelopment areas and redevelopment plans and to make recommendations thereon to the City; and

WHEREAS, the City’s Board of Alderman did duly consider and adopt Ordinance #66563, adopted December 10, 2004 approving the Automobile Row Redevelopment Plan (the “Redevelopment Plan”) and establishing two redevelopment project areas containing various properties, entitled RPA 1 and RPA 2; and

WHEREAS the staff of the City of St. Louis Tax Increment Finance Commission and the Developer prepared for consideration by the TIF Commission Resolution 08-TIFC-295 (attached

1 hereto as Exhibit 1) proposing to amend the Redevelopment Plan by excluding all property and  
2 projects contained in RPA 2 and to amend RPA 1 by excluding 3029-3033 Locust Street (parcel  
3 ID #10220301200 and 10220301100) and the projects associated with said addresses from the  
4 Redevelopment Plan (herein after referred to as the Excluded Properties); and

5 WHEREAS on November 7, 2008, after all proper notice was given, the TIF Commission  
6 held a public meeting and voted to approve Resolution 08-TIFC-295 to recommend that the  
7 Board of Alderman adopt an ordinance approving the exclusion of the Excluded Properties from  
8 the Redevelopment Plan; and

9 WHEREAS, the Board of Alderman has received the recommendation of the TIF  
10 Commission and wishes to accept the recommendation that the original Redevelopment Plan be  
11 amended to provide for the exclusion of the Excluded Properties; and,

12 WHEREAS, in accordance with the Redevelopment Plan and TIF Act the Board of  
13 Alderman hereby determines that it is necessary and advisable and in the best interest of the City  
14 and of its inhabitants to approve and implement the Amendment.

15 BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

16 SECTION ONE. The Board of Alderman hereby adopts the foregoing recitals as  
17 findings.

18 SECTION TWO. The amendment of the Redevelopment Plan as recommended by the  
19 TIF Commission in Resolution 08-TIFC-295 approved November 7, 2008 and as attached hereto  
20 as Exhibit 2 is hereby approved, and the Redevelopment Plan, Blighting Analysis and Projects  
21 shall hereby be deemed amended in accordance therewith to exclude the Excluded Properties.

22 SECTION THREE. The Redevelopment Plan, as hereby amended, is hereby ratified and  
23 shall remain in full force and effect.

1           SECTION FOUR. The Mayor and Comptroller of the City and all other officers, agents,  
2 representatives and employees of the City are hereby authorized to take any and all actions as  
3 may be deemed necessary, desirable, convenient or proper to carry out and comply with the  
4 intent of this Ordinance with regard to the implementation of the Redevelopment Plan and  
5 Redevelopment Projects therein are hereby deemed amended in accordance therewith.

6           SECTION FIVE. The Mayor and the Comptroller or their designated representatives are  
7 hereby further authorized and directed to make any changes to the documents and instruments  
8 approved and authorized by this Ordinance as may be consistent with the intent of this Ordinance  
9 and necessary, desirable, convenient or proper in order to carry out the matters herein authorized.

10          SECTION SIX. It is hereby declared to be the intention of the Board of Aldermen that  
11 each and every part, section and subsection of this Ordinance shall be separate and severable  
12 from each and every other part, section and subsection hereof and that the Board of Aldermen  
13 intends to adopt each said part, section and subsection separately and independently of any other  
14 part, section and subsection. In the event that any part, section or subsection of this Ordinance  
15 shall be determined to be or to have been unlawful or unconstitutional, the remaining parts,  
16 sections and subsections shall be and remain in full force and effect, unless the court making  
17 such finding shall determine that the valid portions standing alone are incomplete and are  
18 incapable of being executed in accord with the legislative intent.

19          SECTION SIX. All ordinances or parts of ordinances in conflict with any provision of  
20 this Ordinance are hereby repealed.

21 400272

**EXHIBIT 1**

**RESOLUTION NO. 08-TIFC-295  
PRESENTED TO THE BOARD ON NOVEMBER 7, 2008**

**TO:** TAX INCREMENT FINANCING COMMISSION OF THE CITY OF ST. LOUIS  
RODNEY CRIM, EXECUTIVE DIRECTOR

**FROM:** DALE E. RUTHSATZ

**RE:** RESOLUTION AUTHORIZING THE REPEALING OF ALL OF AUTOMOBILE ROW II  
AND AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE  
AUTOMOBILE ROW RPAI REDEVELOPMENT AREA AND REDEVELOPMENT  
PROJECT DESCRIBED THEREIN AND EXPRESSING ITS RECOMMENDATIONS TO  
THE BOARD OF ALDERMAN OF THE CITY OF ST. LOUIS, MISSOURI WITH  
RESPECT TO SAID AMENDED AREA, AMENDED PLAN AND REDEVELOPMENT  
PROJECT (352-52) (ALDERMAN MARLENE DAVIS – 19<sup>TH</sup> WARD)

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**EXECUTIVE SUMMARY:**

This Resolution authorizes the approval of a favorable recommendation to the St. Louis Board of Aldermen with respect to the deletion of all of Automobile Row Redevelopment Project Area II and two parcels from Automobile Row Redevelopment Project Area I from the Automobile Row Redevelopment Area.

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**BACKGROUND:**

The Automobile Row Redevelopment Plan was approved December 22, 2004 by Ordinance #66563 ("Original Plan"). Subsequently, the boundaries of the Area have been modified. The Tax Increment Financing Commission of the City of St. Louis, Missouri (the "Commission"), is duly constituted according to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, 2000, as amended (the "Act"). The Act authorized this Commission to hold hearings with respect to redevelopment areas, plans and projects and to make recommendations thereon to the Board of Aldermen. By Resolution No. 08-TIFC-283, dated September 17, 2008, this commission authorized the issuance of a Notice of Public Hearing with regard to the Amendment.

Staff and consultants of the St. Louis Development Corporation have prepared the Amendment, which provides for the repealing of all of Automobile Row RPA II and amending Automobile Row RPA I by deleting 3029-33 Locust St. (Parcel ID #10220301200 and 10220301100) from the Redevelopment Area (as legally described in the Redevelopment Plan), attached herein as Exhibit "A".

After proper notice, this Commission held a public hearing in conformance with the Act on November 7, 2008 and received comments from all interested persons and taxing districts affected by the amended Redevelopment Plan and redevelopment projects described therein.

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**REQUESTED ACTION:**

Approval of this Resolution authorizing submission of a favorable recommendation to the Board of Aldermen with respect to the Amendment and description of the Amended Area.

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NOW, THEREFORE, be it resolved by the Tax Increment Financing Commission of the City of St. Louis that:

1. Automobile Row RPA II is hereby repealed and Automobile Row RPA I is hereby amended by deleting 3029-33 Locust St. (Parcel ID #10220301200 and 10220301100) from the Redevelopment Area (as legally described in the Redevelopment Plan). Automobile Row RPA I as herein amended is hereby ratified and shall remain in full force and effect.
2. The Commission hereby finds and affirms that:
  - a. The original Plan, as amended, conforms to the comprehensive plan for the development of the municipality as a whole.
3. The Commission recommends to the Board of Aldermen that it:
  - a. Adopt an ordinance in the form required by the Act approving the repeal of Automobile Row RPA 2 and the amendment of Automobile Row RPA 1 by deleting 3029-33 Locust St. (Parcel ID #10220301200 and 10220301100) from the Redevelopment Area (as legally described in the Redevelopment Plan). Automobile Row RPA I as herein amended is hereby ratified and shall remain in full force and effect.

ADOPTED this 7<sup>th</sup> day of November, 2008

(SEAL)

TAX INCREMENT FINANCING COMMISSION  
OF THE CITY OF ST. LOUIS MISSOURI

By: 

Title: Assistant Secretary

ATTEST:

  
Assistant Secretary

**EXHIBIT 2**

**AMENDMENT TO**  
**CITY OF ST. LOUIS, MISSOURI**  
**TAX INCREMENT FINANCING**  
**BLIGHTING ANALYSIS AND REDEVELOPMENT**  
**PLAN AND PROJECT**  
**FOR THE**  
**AUTOMOBILE ROW REDEVELOPMENT AREA**  
**St. Louis, Missouri**

**December 2, 2008**

**AMENDING PLAN DATED**  
**September 4, 2004**

**Submitted to**  
**the City of St. Louis**  
**Tax Increment Financing Commission**

## **INTRODUCTION AND BACKGROUND**

The City of St. Louis (“City”) approved the Tax Increment Financing Blighting Analysis and Redevelopment Plan and Project for the Automobile Row Redevelopment Area (the “Redevelopment Area”) dated September 4, 2004, a copy of which is attached hereto as **Exhibit A** (the “600 Washington TIF Plan”). The Automobile Row TIF Plan provided that the Redevelopment Area consists of two separate redevelopment project areas as defined therein (respectively, “RPA1” and “RPA2”), and provided for separate redevelopment projects with respect to RPA1 and RPA2 (respectively, “Redevelopment Project 1” and “Redevelopment Project 2”). At the request of the City, the TIF Commission is considering an amendment to the Automobile Row TIF Plan as originally approved by Ordinance No. 66563 of the City. Accordingly, the Automobile Row TIF Plan shall be amended as follows:

1. **Automobile Row Redevelopment Area.** Exhibit A to Ordinance No. 66563 which exhibit is entitled “Legal Description of Tax Increment Financing Redevelopment Project Area” and the terms “TIF Area,” “Area,” “Property,” “Redevelopment Project Area” or “Automobile Row Redevelopment Area” contained within Ordinance No. 66563 and the Automobile Row TIF Plan are hereby amended to exclude RPA2 and 3029-3022 Locust St. from RPA1, both as legally described in the Automobile Row TIF Plan. All exhibits to the Automobile Row TIF Plan shall be amended to exclude RPA2 and 3029-3033 Locust St. therefrom.

2. **Redevelopment Project.** Redevelopment Project 2 (as defined in the Automobile Row TIF Plan) is hereby terminated and shall be of no further force and effect. All references within Ordinance No. 66563 and the Automobile Row TIF Plan to the terms “Redevelopment Project 2” or “RPA 2 Project” and “3029-3033 Locust St.” or the plural thereof) are hereby amended to exclude any redevelopment projects originally contemplated to be within the Excluded Area. Accordingly, by this Amendment the Automobile Row TIF Plan shall not include a redevelopment project (as that term is defined in Section 99.805.13 of the Real Property Tax Increment Allocation Redevelopment Act of the Revised Statutes of Missouri, as amended) for RPA 2 or 3029-3033 Locust St.

3. **Tax Increment Revenue.** All references within Ordinance No. 66563 and the Automobile Row TIF Plan to the terms “Tax Increment Financing Revenue,” “PILOTS”, “EATS” or “Other Tax Revenues” (or the plural thereof) are hereby amended to exclude from the definitions thereof any revenue of any nature or type whatsoever produced by property within the Excluded Area or as a result of economic activities occurring within the Excluded Area.

4. **Redevelopment Plan.** It is the intent of this Amendment to remove RPA2 from the Automobile Row Redevelopment Area specifically, and to clarify that the Automobile Row TIF Plan does not apply to RPA2 or 3029-3033 Locust St. Accordingly, all ordinances inconsistent with this expressed intent including, but not limited to, Ordinance Nos. 66563, 66564, and 66585 and 66586 shall be amended in accordance herewith.

5. **Blighted Area.** Based upon the information contained in the TIF Plan, including, but not limited to, the information set forth in that certain *Analysis of Conditions Representing a*

*Blighted Area for the Automobile Row TIF Redevelopment Area*, the Redevelopment Area, as amended hereby, constitutes a “blighted area” based on the information provided with respect to RPA1 alone.

6. **Effective Date of this Amendment.** This Amendment shall be effective upon approval by the City through an effective ordinance.

7. **Incorporation by Reference.** The Automobile Row TIF Plan is incorporated into and made a part of this Amendment by this reference.



**EXHIBIT A to EXHIBIT 2**

**AUTOMOBILE ROW TIF PLAN**

[on file with the City of St. Louis and  
The St. Louis Development Corporation]